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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MEKS TRUSTLINK (PRIVATE) NIGERIA
LIMITED and EMMANUEL UZOR,

Plaintiffs,

- against -

M/V MSC NAPOLI, her engines, tackle, boiler, etc.,
in rem, TRANS ATLANTIC CONTAINER LINES
and MEDITERRANEAN SHIPPING COMPANY S.A.,
in personam,

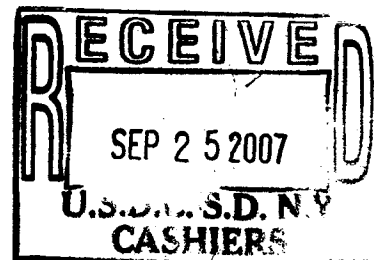
Defendants.
-----X

Judge Hellerstein

07 CIV 8345

Index No.

COMPLAINT



The plaintiffs herein, by their attorneys, Hill Rivkins & Hayden LLP, complaining of the above named vessel and defendants, allege upon information and belief:

FIRST: This Court has jurisdiction pursuant to 28 U.S.C. 1331(a) in that this is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure.

SECOND: At and during all times hereinafter mentioned, plaintiffs had and now have the legal status and principal offices and places of business stated in Schedule A hereto annexed and by this reference made a part hereof.

THIRD: At and during all the times hereinafter mentioned, defendants had and now have the legal status and offices and places of business stated in Schedule A, and were and now are engaged in business as common carriers of merchandise by water

for hire, and owned, operated, managed, chartered and controlled the above named vessel which now is or will be within the jurisdiction of this Court during the pendency of this action.

FOURTH: On or about the dates and at the ports of shipment stated in Schedule A, there were delivered to the vessel and defendants in good order and condition the shipments described in Schedule A, which the said vessel and defendants received, accepted and agreed to transport for certain consideration to the ports of destination stated in Schedule A, under MSC bill of lading MSCUNW507395, Container TGHU8649009, MSC Claim 5991.

FIFTH: Thereafter, the said vessel arrived at the port of destination described in Schedule A and the cargo not delivered in the same good order and condition in which it was received.

SIXTH: Defendants, by reason of the premises, breached their duties to the plaintiffs as common carriers by water for hire and were otherwise at fault.

SEVENTH: Plaintiffs were the shippers, consignees or owners or otherwise had a proprietary interest of and in the cargoes as described in Schedule A, and bring this action on their own behalf and, as agents and trustees, on behalf of and for the interest of all parties who may be or become interested in the said shipment, as their respective interests may ultimately appear, and plaintiffs are entitled to maintain this action.

EIGHTH: Plaintiffs have duly performed all duties and obligations on their part to be performed.

NINTH: By reason of the premises, plaintiffs have sustained damages nearly as same can now be estimated, no part of which has been paid, although duly demanded, in the amount of \$250,000.00

W H E R E F O R E, plaintiffs pray:

1. That process in due form of law according to the practice of this Court may issue against defendants.
2. That if defendants cannot be found within this District, that all of their property within this District, as shall be described in the affidavit, be attached in the sum set forth in this complaint, with interest and costs.
3. That a decree may be entered in favor of plaintiffs against defendants for the amount of plaintiffs' damages, together with interest and costs.
4. That process in due form of law according to the practice of this Court may issue against the aforesaid named vessels.
5. Plaintiffs further pray for such other, further and different relief as to this Court may seem just and proper in the premises.

Dated: New York, New York
September 24, 2007

HILL RIVKINS & HAYDEN LLP
Attorneys for Plaintiffs

By: 

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SCHEDULE A

Plaintiffs: Meks Trustlink (Private) Nigeria Limited
Borono Plaza D-10
Lagos, Nigeria

Emmanuel Uzor
159 Central Avenue
Bogota, New Jersey 07603

Defendants: Trans Atlantic Container Lines
720 Frelinghuysen Avenue
Newark, New Jersey 07114

Mediterranean Shipping Company S.A.
420 Fifth Avenue
New York, New York 10018

Date of Shipment: December 28, 2006

Port of Loading: New York

Port of Discharge: Cotonou, Benin

Shipper: Trans Atlantic Container Lines

Consignee: Bea Trade Fair Complex

Notify: Meks Trustlinke (Private) Nigeria Limited

Description of Shipment: 4874 Carton Toiletries
500 Printers

Nature of Loss or Damage: Non-delivery